

RFP 9-38
SECTION ONE
GENERAL INFORMATION AND REQUESTED PRODUCTS/SERVICES

1.1 INTRODUCTION

In accordance with Indiana statute, including IC 5-22-9, the Indiana Department of Administration (IDOA), acting on behalf of the Indiana Department of Environmental Management (IDEM), requires the installation and maintenance of alternative drinking water sources that meet industry and IDEM standards in residential homes and/or businesses for IDEM in the Office of Land Quality (OLQ). It is the intent of IDOA to solicit responses to this Request for Proposals (RFP) in accordance with the statement of work, proposal preparation section, and specifications contained in this document. This RFP is being posted to the IDOA website (<http://www.IN.gov/idoa/2354.htm>) for downloading. A nominal fee will be charged for providing hard copies. Neither this RFP nor any response (proposal) submitted hereto are to be construed as a legal offer.

1.2 DEFINITIONS AND ABBREVIATIONS

Following are explanations of terms and abbreviations appearing throughout this RFP. Other special terms may be used in the RFP, but they are more localized and defined where they appear, rather than in the following list.

IAC	The Indiana Administrative Code.
IC	The Indiana Code.
Full Time Equivalent (FTE)	The State defines FTE as a measurement of an employee's productivity on a specific project or contract. An FTE of 1 would mean that there is one worker fully engaged on a project. If there are two employees each spending 1/2 of their working time on a project that would also equal 1 FTE.
Implementation	The successful implementation of alternative drinking water sources as specified in the contract resulting from this RFP.
Installation	The delivery and physical setup of products or services requested in this RFP.
Other Governmental Body	An agency, a board, a branch, a bureau, a commission, a council, a department, an institution, an office, or another establishment of any of the following: (1) The judicial branch. (2) The legislative branch.

	(3) A political subdivision (includes towns, cities, local governments, etc.) (4) A state educational institution
Products	Tangible goods or manufactured items as specified in this RFP.
Proposal	An offer as defined in IC 5-22-2-17.
Respondent	An offeror as defined in IC 5-22-2-18. The State will not consider a proposal responsive if two or more offerors submit a joint or combined proposal. One entity or individual must be clearly identified as the Respondent who will be ultimately responsible for performance of the contract.
Services	Work to be performed as specified in this RFP.
State	The State of Indiana
State Agency	As defined in IC 4-13-1, “state agency” means an authority, board, branch, commission, committee, department, division, or other instrumentality of the executive, including the administrative, department of state government.
Vendor	Any successful Respondent selected as a result of the procurement process to deliver the products or services requested by this RFP.

1.3 PURPOSE OF THE RFP

The purpose of this RFP is to select one or more vendors, which can satisfy the State’s need for the installation and maintenance of alternative drinking water sources for residences and/or businesses in Indiana. It is the intent of IDEM to contract with a vendor(s) that provide(s) quality alternative drinking water sources for IDEM in the Office of Land Quality.

1.4 SUMMARY SCOPE OF WORK

IDEM requires a vendor(s) capable of installing and maintaining alternative water sources that meet industry and IDEM standards in residential homes and/or businesses whose wells have been contaminated with hazardous substances and/or petroleum products throughout the State of Indiana near Superfund sites, State Cleanup sites, Immediate Removal, and Leaking Underground Storage Tank (LUST) sites. Work will be site-specific and may include installation of Point-of-Entry (POE) and Point-of-Use (POU) granular activated carbon (GAC) filter systems, POU reverse osmosis (RO) units, air strippers and/or the provision of bottled water as an alternative water source. Work will also include the operation and maintenance of systems already in place. The contractor shall furnish or arrange for all necessary personnel, materials, facilities, and

services needed for installing and maintaining water filter/treatment systems and/or bottled water dispensers for the period of the contract. The contractor may submit a proposal for **EITHER** the provision of bottled water (as described in 2.4.1, Technical Proposal of this RFP) **OR** water/filter/treatment systems (all other tasks not listed under 2.4.1 of this RFP), **OR BOTH** bottled water and water/filter/treatment systems.

The specific activities are listed below by task:

- A. Provision of bottled water and dispensers
- B. Installation of water/filter/treatment systems
 - 1. Granular activated carbon filter systems
 - 2. Reverse osmosis units
 - 3. Air strippers
- C. System maintenance and change of filter media
- D. Storage of spent media
- E. Disposal of spent media
- F. Removal of water filter/treatment systems
- G. Operation and maintenance of systems already in place
- H. General activities associated with providing safe drinking water

The contractor(s) shall provide:

- A. An action plan for completion of each task
- B. Cost on a per task basis

1.5 RFP OUTLINE

The outline of this RFP document is described below:

Section	Description
Section 1 – General Information and Requested Products or Services	This section provides an overview of the RFP, general timelines for the process, and a summary of the products/services being solicited by the State/Agency via this RFP
Section 2 – Proposal Preparation Instruction	This section provides instructions on the format and content of the RFP including a Letter of Transmittal, Business Proposal, Technical Proposal, and a Cost Proposal
Section 3 – Proposal Evaluation Criteria	This section discusses the evaluation criteria to be used to evaluate respondents' proposals
Attachment A	M/WBE Participation Plan Form
Attachment B	Sample Contract
Attachment C	Indiana Economic Impact Form

Section	Description
Attachment D	POINT OF ENTRY SYSTEM: Sample Carbon Filter Schematic
Attachment E	POINT OF USE SYSTEM: Sample Carbon Filter Schematic
Attachment F	Sample Air Stripper Schematic

1.6 QUESTION/INQUIRY PROCESS

All questions/inquiries regarding this RFP must be submitted in writing by the deadline of **3:00 p.m. Eastern Time on Friday, May 29, 2009**. Questions/Inquiries may be submitted via fax (**317-234-1281**) or email rfp@idoa.IN.gov and must be received by Procurement Division by the time and date indicated above.

Following the question/inquiry due date, Procurement Division personnel will compile a list of the questions/inquiries submitted by all Respondents. The responses will be posted to the IDOA website according to the RFP timetable established in Section 1.23. The question/inquiry and answer link will become active after responses to all questions have been compiled. Only answers posted on the IDOA website will be considered official and valid by the State. No Respondent shall rely upon, take any action, or make any decision based upon any verbal communication with any State employee.

Inquiries are not to be directed to any staff member of the Indiana Department of Environmental Management. Such action may disqualify Respondent from further consideration for a contract resulting from this RFP.

If it becomes necessary to revise any part of this RFP, or if additional information is necessary for a clearer interpretation of provisions of this RFP prior to the due date for proposals, an addendum will be posted on the IDOA website. If such addenda issuance is necessary, the Procurement Division may extend the due date and time of proposals to accommodate such additional information requirements, if required.

1.7 DUE DATE FOR PROPOSALS

All proposals must be received at the address below by the Procurement Division no later than **3:00 p.m. Eastern Time on Friday, June 26, 2009**. Each Respondent must submit **one original hard-copy** (marked "Original") and **one original CD-ROM (marked "Original")** and two (2) **additional** complete hardcopies of the proposal, including the Transmittal Letter and other related documentation as required in this RFP. The **original** CD-ROM will be considered the official response in evaluating responses for scoring and protest resolution. **The respondent's proposal response on this CD may be posted on the IDOA website, (<http://www.in.gov/idoa/2462.htm>) if recommended for selection.**

Each copy of the proposal must follow the format indicated in Section Two of this document. Unnecessarily elaborate brochures or other presentations, beyond those necessary to present a complete and effective proposal, are not desired. All proposals must be addressed to:

Shelley Harris
Indiana Department of Administration
Procurement Division
402 West Washington Street, Room W478
Indianapolis, IN 46204

If you hand-deliver solicitation responses:

To facilitate weapons restrictions at Indiana Government Center North and Indiana Government Center South, as of **July 21, 2008**, the public must enter IGC buildings through a designated public entrance. The public entrance to Indiana Government Center South is located at 302 W. Washington St. (the eastern-most Washington St. entrance). This entrance will be equipped with metal detectors and screening devices monitored by Indiana State Police Capitol Police.

Passing through the public entrance may take some time. Please be sure to take this information into consideration if your company plans to submit a solicitation response in person.

If you ship or mail solicitation responses: United States Postal Express and Certified Mail are both delivered to the Government Center Central Mailroom, and not directly to the Procurement Division. It is the responsibility of the Respondent to make sure that solicitation responses are received by the Procurement Division at the Department of Administration's reception desk on or before the designated time and date. Late submissions will not be accepted. The Department of Administration, Procurement Division clock is the official time for all solicitation submissions.

All proposal packages must be clearly marked with the RFP number, due date, and time due. Any proposal received by the Department of Administration, Procurement Division after the due date and time will not be considered. Any late proposals will be returned, unopened, to the Respondent upon request. All rejected proposals not claimed within 30 days of the proposal due date will be destroyed.

No more than one proposal per Respondent may be submitted.

The State accepts no obligations for costs incurred by Respondents in anticipation of being awarded a contract.

All proposals submitted to the State should be double-sided and printed on 30% post-consumer recycled content paper or tree-free paper. When possible, soy ink should be used.

1.8 PRE-PROPOSAL CONFERENCE

It is the decision of the State that no pre-proposal conference is required for this RFP.

1.9 MODIFICATION OR WITHDRAWAL OF OFFERS

Modifications to responses to this RFP may only be made in the manner and format described in Section 1.6 and clearly identified as a modification.

The Respondent's authorized representative may withdraw the proposal, in person, prior to the due date. Proper documentation and identification will be required before the Procurement Division will release the withdrawn proposal. The authorized representative will be required to sign a receipt for the withdrawn proposal.

Modification to, or withdrawal of, a proposal received by the Procurement Division after the exact hour and date specified for receipt of proposals will not be considered.

1.10 PRICING

Pricing on this RFP must be firm and remain open for a period of not less than 180 days from the proposal due date.

Please refer to the Cost Proposal sub-section under Section 2 for a detailed discussion of the proposal pricing format and requirements.

1.11 PROPOSAL CLARIFICATIONS AND DISCUSSIONS, AND CONTRACT DISCUSSIONS

The State reserves the right to request clarifications on proposals submitted to the State. The State also reserves the right to conduct proposal discussions, either oral or written, with Respondents. These discussions could include request for additional information, request for cost or technical proposal revision, etc. Additionally, in conducting discussions, the State may use information derived from proposals submitted by competing respondents only if the identity of the respondent providing the information is not disclosed to others. The State will provide equivalent information to all respondents which have been chosen for discussions. Discussions, along with negotiations with responsible respondents may be conducted for any appropriate purpose.

The Procurement Division will schedule all discussions. Any information gathered through oral discussions must be confirmed in writing.

A sample contract is provided in Attachment B. Any requested changes to the sample contract must be submitted with your response (See Section 2.3.5 for details). The State reserves the right to reject any of these requested changes. It is the State's expectation

that any material elements of the contract will be substantially finalized prior to contract award.

1.12 BEST AND FINAL OFFER

The State may request best and final offers from those Respondents determined by the State to be reasonably viable for contract award. However, the State reserves the right to award a contract on the basis of initial proposals received. Therefore, each proposal should contain the Respondent's best terms from a price and technical standpoint.

Following evaluation of the best and final offers, the State may select for final contract negotiations/execution the offers that are most advantageous to the State, considering cost and the evaluation criteria in this RFP.

1.13 REFERENCE SITE VISITS

The State may request a site visit to a Respondent's working support center to aid in the evaluation of the Respondent's proposal. Site visits, if required will be discussed in the technical proposal.

1.14 TYPE AND TERM OF CONTRACT

The State intends to sign a contract with one or more Respondent(s) to fulfill the requirements in this RFP.

The term of the contract shall be for a period of two (2) years from the date of contract execution. There may be two (2) one-year renewals for a total of four (4) years at the State's option.

1.15 CONFIDENTIAL INFORMATION

Respondents are advised that materials contained in proposals are subject to the Access to Public Records Act (APRA), IC 5-14-3 *et seq.*, and, after the contract award, the entire RFP file may be viewed and copied by any member of the public, including news agencies and competitors. Respondents claiming a statutory exception to the APRA must place all confidential documents (including the requisite number of copies) in a sealed envelope clearly marked "Confidential" and must indicate in the Transmittal Letter and on the outside of that envelope that confidential materials are included. The Respondent must also specify which statutory exception of APRA that applies. The State reserves the right to make determinations of confidentiality. If the Respondent does not identify the statutory exception, the Procurement Division will not consider the submission confidential. If the State does not agree that the information designated is confidential under one of the disclosure exceptions to APRA, it may seek the opinion of the Public Access Counselor. Prices are not confidential information.

1.16 TAXES

Proposals should not include any tax from which the State is exempt.

1.17 PROCUREMENT DIVISION REGISTRATION

In order to receive an award, you must be registered as a bidder with the Department of Administration, Procurement Division. Therefore, to ensure there is no delay in the award all Respondents are strongly encouraged to register prior to submission of their response. Respondents should go to www.in.gov/idoa/2464.htm.

1.18 SECRETARY OF STATE REGISTRATION

If awarded the contract, the Respondent will be required to register, and be in good standing, with the Secretary of State. The registration requirement is applicable to all limited liability partnerships, limited partnerships, corporations, S-corporations, nonprofit corporations and limited liability companies. Information concerning registration with the Secretary of State may be obtained by contacting:

Secretary of State of Indiana
Corporation Division
402 West Washington Street, E018
Indianapolis, IN 46204
(317) 232-6576
www.in.gov/sos

1.19 COMPLIANCE CERTIFICATION

Responses to this RFP serve as a representation that it has no current or outstanding criminal, civil, or enforcement actions initiated by the State, and it agrees that it will immediately notify the State of any such actions. The Respondent also certifies that neither it nor its principals are presently in arrears in payment of its taxes, permit fees or other statutory, regulatory or judicially required payments to the State. The Respondent agrees that the State may confirm, at any time, that no such liabilities exist, and, if such liabilities are discovered, that State may bar the Respondent from contracting with the State, cancel existing contracts, withhold payments to setoff such obligations, and withhold further payments or purchases until the entity is current in its payments on its liability to the State and has submitted proof of such payment to the State.

1.20 EQUAL OPPORTUNITY COMMITMENT

Pursuant to IC 4-13-16.5 and in accordance with 25 IAC 5, it has been determined that there is a reasonable expectation of minority and woman business enterprises subcontracting opportunities on a contract awarded under this RFP. Therefore a contract goal of 8 % for Minority Business Enterprises and 8 % for Woman Business Enterprises have been established and all respondents will be expected to comply with the regulation set forth in 25 IAC 5.

Failure to meet these requirements will affect the evaluation of your proposal.

1.21 MINORITY & WOMEN'S BUSINESS ENTERPRISES RFP SUBCONTRACTOR COMMITMENT

In accordance with 25 IAC 5-5, the respondent is expected to submit with its proposal a MWBE Subcontractor Commitment Form. The Form must show that there are, participating in the proposed contract, Minority Business Enterprises (MBE) and Women Business Enterprises (WBE) listed in the Minority and Women's Business Enterprises Division (MWBED) directory of certified firms located at <http://www.in.gov/idoa/2352.htm>. If participation is met through use of vendors who supply products and/or services directly to the Respondent, the Respondent must provide a description of products and/or services provided that are directly related to this proposal and the cost of direct supplies for this proposal. Respondents must complete the Subcontractor Commitment Form in its entirety.

Failure to meet these goals will affect the evaluation of your Proposal. The Department reserves the right to verify all information included on the MWBE Subcontractor Commitment Form.

Respondents are encouraged to contact and work with MWBED at 317-232-3061 to design a subcontractor commitment to meet established goals as referenced in this solicitation.

Prime Contractors must ensure that the proposed subcontractors meet the following criteria:

- Must be listed on the IDOA Directory of Certified Firms
- Each firm may only serve as once classification – MBE or WBE
- A Prime Contractor who is an MBE or WBE must meet subcontractor goals by using other listed certified firms. Certified Prime Contractors cannot count their own workforce or companies to meet this requirement.
- Must serve a commercially useful function. The firm must serve a value-added purpose on the engagement.
- Must provide goods or service only in the industry area for which it is certified as listed in the directory at <http://www.in.gov/idoa/2352.htm>
- Must be used to provide the goods or services specific to the contract
- National Corporate Diversity Plans are generally not acceptable

MINORITY & WOMEN'S BUSINESS ENTERPRISES RFP SUBCONTRACTOR LETTER OF COMMITMENT

A signed letter(s), on company letterhead, from the MBE and/or WBE must accompany the MWBE Subcontractor Commitment Form. Each letter shall state and will serve as acknowledgement from the MBE and/or WBE of its subcontract amount, a description of

products and/or services to be provided on this project and approximate date the subcontractor will perform work on this contract. The State will deny evaluation points if the letter(s) is not attached, not on company letterhead, not signed and/or does not reference and match the subcontract amount and the anticipated period that the Subcontractor will perform work for this solicitation.

By submission of the Proposal, the Respondent acknowledges and agrees to be bound by the regulatory processes involving the State's M/WBE Program. Questions involving the regulations governing the MWBE Subcontractor Commitment Form should be directed to: Minority and Women's Business Enterprises Division at (317) 232-3061 or mwbe@idoa.in.gov.

1.22 AMERICANS WITH DISABILITIES ACT

The Respondent specifically agrees to comply with the provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.* and 47 U.S.C. 225).

1.23 SUMMARY OF MILESTONES

The following timeline is only an illustration of the RFP process. The dates associated with each step are not to be considered binding. Due to the unpredictable nature of the evaluation period, these dates are commonly subject to change. At the conclusion of the evaluation process, all Respondents will be informed of the evaluation team's findings.

Key RFP Dates:

Activity	Date
Issue of RFP	5/15/2009
Deadline to Submit Written Questions	5/29/2009
Response to Written Questions/RFP Amendments	6/12/2009
Submission of Proposals	6/26/2009
<i>The dates for the following activities are target dates only. These activities may be completed earlier or later than the date shown.</i>	
Proposal Evaluation	
Proposal Discussions/Clarifications (if necessary)	7/24/2009
Oral Presentations (if necessary)	N/A
Best and Final Offers (if necessary)	8/7/2009
Contract Award	9/1/2009

1.24 EVIDENCE OF FINANCIAL RESPONSIBILITY (25 IAC 1.1-1-5)

Professional standards insurance totaling \$100,000.00 will be required to guarantee the performance of the selected respondent after a contract is signed. The professional standards insurance must remain in effect for the duration of the contract.

Notwithstanding any other provisions relating to the beginning of the term, the contract shall not become effective until the professional standards insurance required by the contract is delivered in the correct form and amount to the designated representative of the State.

The evidence of financial responsibility must be submitted to the following address:

Christopher D. Elliott, Contracts Manager
Office of Land Quality
Indiana Department of Environmental Management
100 North Senate Avenue, Room 1101
Indianapolis, Indiana 46204

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SECTION TWO PROPOSAL PREPARATION INSTRUCTIONS

2.1 GENERAL

To facilitate the timely evaluation of proposals, a standard format for proposal submission has been developed and is described in this section. All Respondents are required to format their proposals in a manner consistent with the guidelines described below:

- Each item must be addressed in the Respondent's proposal.
- The Transmittal Letter must be in the form of a letter. The business and technical proposals must be organized under the specific section titles as listed below.

2.2 TRANSMITTAL LETTER

The Transmittal Letter must address the following topics except those specifically identified as "optional."

2.2.1 Agreement with Requirement in listed in Section 1

The Respondent must explicitly acknowledge understanding of the general information presented in Section 1 and agreement with any requirements/conditions listed in Section 1.

2.2.2 Summary of Ability and Desire to Supply the Required Products or Services

The Transmittal Letter must briefly summarize the Respondent's ability to supply the requested products and/or services that meet the requirements defined in Section 2.4 of this RFP. The letter must also contain a statement indicating the Respondent's willingness to provide the requested products and/or services subject to the terms and conditions set forth in the RFP including, but not limited to, the State's mandatory contract clauses.

2.2.3 Signature of Authorized Representative

A person authorized to commit the Respondent to its representations and who can certify that the information offered in the proposal meets all general conditions including the information requested in Section 2.3.4, must sign the Transmittal Letter. **In the Transmittal Letter, please indicate the principal contact for the proposal along with an address, telephone and fax number as well as an e-mail address, if that contact is different than the individual authorized for signature.**

2.2.4 Respondent Notification

Unless otherwise indicated in the Transmittal Letter, Respondents will be notified via e-mail.

It is the Respondent's obligation to notify the Procurement Division of any changes in any address that may have occurred since the origination of this solicitation. The Procurement Division will not be held responsible for incorrect vendor/contractor addresses.

2.2.5 Other Information

This item is optional. Any other information the Respondent may wish to briefly summarize will be acceptable.

2.3 BUSINESS PROPOSAL

The Business Proposal must address the following topics except those specifically identified as "optional."

2.3.1 General (optional)

This section of the business proposal may be used to introduce or summarize any information the Respondent deems relevant or important to the State's successful acquisition of the products and/or services requested in this RFP.

2.3.2 Respondent's Company Structure

The legal form of the Respondent's business organization, the state in which formed (accompanied by a certificate of authority), the types of business ventures in which the organization is involved, and a chart of the organization are to be included in this section. If the organization includes more than one product division, the division responsible for the development and marketing of the requested products and/or services in the United States must be described in more detail than other components of the organization.

2.3.3 Company Financial Information

This section must include the Respondent's financial statement, including an income statement and balance sheet, for each of the two most recently completed fiscal years. The financial statements must demonstrate the Respondent's financial stability. If the financial statements being provided by the Respondent are those of a parent or holding company,

additional financial information should be provided for the entity/organization directly responding to this RFP.

2.3.4 Integrity of Company Structure and Financial Reporting

This section must include a statement indicating that the CEO and/or CFO has taken personal responsibility for the thoroughness and correctness of any/all financial information supplied with this proposal. The particular areas of interest to the State in considering corporate responsibility include the following items: separation of audit functions from corporate boards and board members, if any, the manner in which the organization assures board integrity, and the separation of audit functions and consulting services. The State will consider the information offered in this section to determine the responsibility of the Respondent under IC 5-22-16-1(d).

The Sarbanes Oxley Act of 2002, H.R. 3763, is NOT directly applicable to this procurement; however, its goals and objectives may be used as a guide in the determination of corporate responsibility for financial reports.

2.3.5 Contract Terms/Clauses

A sample contract that the state expects to execute with the successful Respondent(s) is provided in Attachment B. This contract contains both mandatory and non-mandatory clauses. Mandatory clauses are listed below and are non-negotiable. Other clauses are highly desirable. It is the State's expectation that the final contract will be substantially similar to the sample contract provided in Attachment B.

In your Transmittal Letter please indicate acceptance of these mandatory contract terms (see section 2.2.2). In this section please review the rest of the contract and indicate your acceptance of the non-mandatory contract clauses. If a non-mandatory clause is not acceptable as worded, suggest specific alternative wording to address issues raised by the specific clause. If you require additional contract terms please include them in this section. To reiterate it's the State's strong desire to not deviate from the contract provided in the attachment and as such the State reserves the right to reject any and all of these requested changes.

The mandatory contract terms are as follows:

- Authority to Bind Contractor
- Duties of Contractor, Rate of Pay, and Term of Contract
- Compliance with Laws
- Drug-free Workplace Provision and Certification
- Funding Cancellation
- Indemnification

- Governing Laws
- Non-discrimination clause
- Payments
- Penalties/Interest/Attorney's Fees
- Non-collusion and Acceptance

Any or all portions of this RFP and any or all portions of the Respondents response may be incorporated as part of the final contract

2.3.6 References

The Respondent must include a list of at least three (3) clients for whom the Respondent has provided products and/or services that are the same or similar to those products and/or services requested in this RFP. Information provided should include the name, address, and telephone number of the client facility and the name, title, and phone/fax numbers of a person who may be contacted for further information.

2.3.7 Registration to do Business

Secretary of State

If awarded the contract, the Respondent will be required to be registered, and be in good standing, with the Secretary of State. The registration requirement is applicable to all limited liability partnerships, limited partnerships, corporations, S-corporations, nonprofit corporations and limited liability companies. The Respondent must indicate the status of registration, if applicable, in this section of the proposal.

Department of Administration, Procurement Division

Additionally, respondents must be registered with the IDOA. This can be accomplished on-line at <http://www.in.gov/idoa/2464.htm> .

The IDOA Procurement Division maintains two databases of vendor information. The Bidder registration database is set up for vendors to register if you are interested in selling a product or service to the State of Indiana. Respondents may register on-line at no cost to become a Bidder with the State of Indiana. To complete the on-line Bidder registration, go to <http://www.in.gov/idoa/2464.htm>. The Bidder registration offers email notification of upcoming solicitation opportunities, corresponding to the Bidder's area(s) of interest, selected during the registration process. Respondents do need to be registered to bid on and receive email notifications. Completion of the Bidder registration will result in your name being added to the Bidder's Database, for email notification. The

Bidder registration requires some general business information, an indication of the types of goods and services you can offer the State of Indiana, and locations(s) within the state that you can supply or service. There is no fee to be placed in Procurement Division's Bidder Database. To receive an award, you must be registered as a bidder.

Problems or questions concerning the registration process or the registration form can be e-mailed to Amey Redding, Vendor Registration Coordinator, aredding@idoa.in.gov, or you may reach her by phone at (317) 234-3542.

2.3.8 Authorizing Document

Respondent personnel signing the Transmittal Letter of the proposal must be legally authorized by the organization to commit the organization contractually. This section shall contain proof of such authority. A copy of corporate bylaws or a corporate resolution adopted by the board of directors indicating this authority will fulfill this requirement.

2.3.9 Subcontractors

The Respondent is responsible for the performance of any obligations that may result from this RFP, and shall not be relieved by the non-performance of any subcontractor. Any Respondent's proposal must identify all subcontractors and describe the contractual relationship between the Respondent and each subcontractor. Either a copy of the executed subcontract or a letter of agreement over the official signature of the firms involved must accompany each proposal.

Any subcontracts entered into by the Respondent must be in compliance with all State statutes, and will be subject to the provisions thereof. For each portion of the proposed products or services to be provided by a subcontractor, the technical proposal must include the identification of the functions to be provided by the subcontractor and the subcontractor's related qualifications and experience.

The combined qualifications and experience of the Respondent and any or all subcontractors will be considered in the State's evaluation. The Respondent must furnish information to the State as to the amount of the subcontract, the qualifications of the subcontractor for guaranteeing performance, and any other data that may be required by the State. All subcontracts held by the Respondent must be made available upon request for inspection and examination by appropriate State officials, and such relationships must meet with the approval of the State.

The Respondent must list any subcontractor's name, address and the state in which formed that are proposed to be used in providing the required

products or services. The subcontractor's responsibilities under the proposal, anticipated dollar amount for subcontract, the subcontractor's form of organization, and an indication from the subcontractor of a willingness to carry out these responsibilities are to be included for each subcontractor. This assurance in no way relieves the Respondent of any responsibilities in responding to this RFP or in completing the commitments documented in the proposal. The Respondent must indicate which, if any, subcontractors qualify as a Minority or Women Owned Business under IC 4-13-16.5-1. See Section 1.21 and Attachment A for Minority and Women Business information.

2.3.10 Evidence of Financial Responsibility

This section will indicate the ability to provide the mandatory evidence of financial responsibility. See Section 1.24 for details.

Notwithstanding any other provisions relating to the beginning of the term, any contract will not become effective until the evidence of financial responsibility is delivered in the correct form and amount to the address indicated in Section 1.24.

2.4 TECHNICAL PROPOSAL

The Technical Proposal must be divided into the sections as described below. Every point made in each section must be addressed in the order given. The same outline numbers must be used in the response. RFP language should not be repeated within the response. Where appropriate, supporting documentation may be referenced by a page and paragraph number. However, when this is done, the body of the technical proposal must contain a meaningful summary of the referenced material. The referenced document must be included as an appendix to the technical proposal with referenced sections clearly marked. If there are multiple references or multiple documents, these must be listed and organized for ease of use by the State. The contractor may submit a proposal for **EITHER** the provision of bottled water (as described in 2.4.1, Technical Proposal of this RFP) **OR** water/filter/treatment systems (all other tasks not listed under 2.4.1 of this RFP), **OR BOTH** bottled water and water/filter/treatment systems.

The specific required activities are listed below by task:

1. Provision of bottled water and dispensers
2. Installation of Water Filter/Treatment Systems
 - a. Granular activated carbon filter system
 - b. Reverse osmosis units
 - c. Air stripper
3. System maintenance and change of filter media
4. Storage of spent media
5. Disposal of spent media

6. Removal of water filter/treatment system
7. Operation and Maintenance of Systems Already In Place
8. General activities associated with providing safe water

The contractor(s) shall provide:

1. An action plan for completion of each task
2. Pricing on a per task basis. The pricing for each task should be broken down into per unit cost including precise details of the costs associated with the action(s) required for the task.

2.4.1: Provision of Bottled Water and Dispenser

The contractor shall arrange for the delivery of bottled water and an adequate dispensing system to address(es) specified by the State within 48 hours of notification. Bottled water may be provided either temporarily until treatment systems or other supplies of water are operational, or indefinitely (until groundwater does not present a risk as determined by the State). Responsibilities of this task include, but are not limited to, regular scheduled delivery of bottled water of a quality that meets all Federal, State, and local water regulations, delivery and maintenance of a dispensing system; making delivery adjustments based upon the needs of the resident, yet not to exceed the number of returned empty bottles (deposits); and removal of the dispenser upon notice of the State.

2.4.2: Installation of Water Filter/Treatment System

Upon request, the contractor shall install the system specified by the State. Household water use is assumed to be 80 gallons per capita per day. Minimum specifications are described below.

A. Granular Activated Carbon (GAC) Filter Systems

1. Filter Media - Virgin granular activated carbon must be used. The State encourages the use of filter media of a type, particle mesh size, and hardness to facilitate reactivation (regeneration) of the filter media.
2. Point-of-Use (POU) GAC System - POU systems may be used when low level [under Maximum Contaminant Level (MCL)] contamination is detected. These systems are normally installed underneath the kitchen sink and connected to the cold-water source therein. There must be at least two (2) carbon filter canisters in a series, with a mid-filter tap between the canisters (see Attachment D). A pre-filter is required for control of sediment and solids. A dispensing fountain is typically installed on top of the kitchen sink. A "gallon totalizing" meter may be requested by the State. The contractor shall provide a cost quote for a POU meter. The installation must conform to any applicable

sections of the Indiana Plumbing Code, especially concerning accessibility.

Minimum Mechanical Specifications for POU

- a. The total media contact area of the two carbon canisters must be at least 1.5 million square feet.
 - b. The connections between canisters must be made with either slip joint or compression type fittings.
 - c. The chemically inert pre-filter must have a maximum porosity of 50 microns.
 - d. The tank and tubing material must be non-reactive with volatile organic compounds, refined petroleum products, and common industrial solvents.
 - e. The entire system must safely withstand a continual water pressure of at least 100 pound-force per square inch (psi).
3. Point-of-Entry (POE) GAC Systems - POE units are installed when contaminants concentrations exceed Maximum Contaminant Levels (MCL). These systems are to be installed in the most accessible point of the main water source. There must be a minimum of two (2) tanks in a series, with the second acting as a backup or redundant filter (see Attachment E). In the two (2) tank series, each unit should have the capacity to filter adequately the household's/business' water source by itself. The system must be sized, valved, and piped in such a manner that adequate water pressure is maintained. It must be designed with raw, mid, and post-filter taps for sampling purposes. A "gallon totalizing" meter may be requested by the State. The contractor shall provide a cost quote for a POE meter. A pre-filter is required for control of sediment and solids. The system must prevent any of the activated carbon granules from entering the water source. The system also must comply with any applicable provisions of the Indiana Plumbing Code and/or Indiana Electrical Code, especially provisions concerning accessibility.
4. Minimum Mechanical Specifications for POE (design may be altered depending on target contaminants)
 - a. The weight of the granular activated carbon in each tank is to be no less than 50 pounds prior to wetting.
 - b. The minimum pipe and valve size is 3/4" inner diameter.
 - c. The tank connections must be either slip-joint or compression type fittings.
 - d. The tank and tubing material must be non-reactive with volatile organic compounds, refined petroleum products, and common industrial solvents.

- e. The system must have a chemically inert pre-filter with a maximum porosity of 50 microns.
- f. The entire system must safely withstand a continuous water pressure of at least 100 psi.
- g. The granular activated carbon in both tanks must be slurry loaded (wetted) during installation.
- h. The sampling taps (raw, mid, and post-filter) must be of a design as to minimize aeration of dispensed water.

B. Reverse Osmosis (RO) Systems - Installation of RO systems is necessary only when the system would be effective on a long-term basis, and where municipal water is not available. At a minimum, systems should be capable of treating water to chemical specific MCL and/or action levels, should be capable of withstanding water pressure of at least 100 psi, and should provide water at a rate allowing household demand to be met. The system should also include a chemically inert pre-filter for control of sediments and solids. A pre-unit tap should be installed according to industry standards and must comply with any applicable provisions of the State Plumbing and Electrical Codes.

- 1. The unit connections must be either slip-joint or compression type fittings. The filter and tubing material must be non-reactive with volatile organic compounds, refined petroleum products, and common industrial solvents.
- 2. The system must have a chemically inert pre-filter with a maximum porosity of 50 microns or as specified by the manufacturer of the RO system.
- 3. The entire system must safely withstand a continuous water pressure of at least 100 psi or greater if required for proper operation of the system.
- 4. The sampling taps (raw, mid, and post-filter) must be of a design as to minimize aeration of dispensed water.

C. Air Strippers - On a limited basis, air strippers are installed in combination with carbon filter systems to increase efficiency and reduce the need for media change. Air strippers currently in use (see Attachment F) consist of the household's/business' existing pressure tank, a pre-filter, a packed air stripping column constructed of fiberglass reinforced plastic, a blower for inducing countercurrent air flow, an exhaust vent (with de-mister and hooded vent) to the building exterior and a secondary pump activated by a float switch for delivery of treated water to a second bladder tank.

Tower height and packing height are site specific, and site conditions may require a modification of each component of the basic design. Design parameters include

type of contaminant, concentration, loading rate, and air to water ratio, backing height, and packing material. Pre-filtration is required for air strippers to prevent fouling, and the plumbing should be configured to allow the air stripper to be bypassed, if desired. The air stripper/carbon filter systems in place must achieve a total system contaminant removal level of 99.999%; future air stripper/carbon filter systems should meet this performance standard. Each system installed shall comply with all applicable State Plumbing and Electrical Codes.

2.4.3: System Maintenance and Change of Filter Media

The contractor shall be responsible for maintaining the integrity of each water filter/treatment system. Tasks include, but are not limited to, the following:

- A. The contractor shall maintain adequate documentation and provide valid records of the control measures applied, dates of media change-out, details of adjustments and repairs and water volume usage (if available, i.e. water meter present).
- B. The contractor shall change the pre-filters and RO membranes at such time as recommended by the manufacturer or when notified by the State. A regular schedule should be established for routine replacement on a case-by-case basis.
- C. Carbon canister media shall be replaced on a regular basis, as arranged by the State and the contractor. Change-outs should be scheduled according to manufacturer recommendations, with a minimum change of once per year. If State sampling indicates a chemical breakthrough, canisters shall be immediately changed. Typical media change shall allow for the first tank in the series to be completely removed from the system. The second tank shall be placed in the primary position and a new or refitted tank shall be placed second in the series. In any system, the State may order a complete tank change. In certain POU systems, a total replacement of the pre-filter and carbon canisters, as a single unit may be ordered.
- D. The contractor shall maintain documentation of scheduled and performed change-outs.
- E. The contractor shall notify the State and the users of the system regarding impending filter or equipment change.
- F. The State shall provide the contractor with the names and addresses of all locations requiring work. It shall be the responsibility of the contractor to contact each individual resident to schedule installation and routine maintenance activity.
- G. New filter units must be of the same quality or better than the original. The contractor shall be able to prove this with documentation.

H. In every instance of filter replacement, the contractor shall visually check the entire system to ensure the free flow of water. Any problem(s) should be brought to the attention of the system user and the State. Problems should not be corrected without specific written authorization from the State.

I. The contractor may be called to inspect, adjust, and repair systems as determined by the State.

J. If a unit does not operate properly or requires unscheduled change-out due to defect, faulty design, or improper installation, the contractor shall replace the unit and/or media at the contractor's expense.

K. The contractor should be able to perform all of the above within 48 hours of notification by the State.

L. The contractor agrees to disinfect the water source system each time maintenance is performed.

M. The State shall test the water source for coliform bacteria.

2.4.4: Storage of Spent Filter Media

After change-out, the filter media shall be transported and stored at an appropriate storage facility. Filter media shall be free of debris and shall be placed in containers to comply with all applicable requirements. The contractor shall properly mark, label, and placard all containers. Disposal/ reactivation companies may have additional requirements regarding containment and preparation of the media for disposal. It is the responsibility of the contractor to meet facility-specific requirements.

2.4.5: Disposal of Spent Filter Media

The contractor is required to dispose of the carbon at a permitted and RCRA-compliant facility. Prior to disposal, the contractor shall submit all required samples to the disposal company for qualification.

The State encourages the contractor to have the carbon media thermally reactivated, allowing the media to be recycled for use in not-potable water applications. While allowing disposal standards to be met, reactivation shall help reduce solid waste accumulation in the environment. Selection of a disposal method and company is subject to State approval.

It is the responsibility of the contractor to schedule and arrange disposal of carbon media, including transportation to the disposal facility. Transportation of media may involve a third party, and may require manual labor in loading. Certificates of disposal must be submitted to the State on a regular basis.

2.4.6: Removal of Filter and Equipment

The State may request that the filter system and/or equipment be removed from a residence when groundwater has been cleaned to standard levels, when contaminants have not been detected in the water source for an appropriate period of time, or the property owner requests the removal and possesses written approval and grants written permission. The contractor shall restore the water lines to pre-installation plan specifications. All equipment and media shall be disposed by the contractor in compliance with all relevant requirements and in an environmentally responsible manner.

2.4.7: Operation and Maintenance of Systems Already In Place

The contractor and/or an approved subcontractor shall be responsible for the maintenance of water filter/treatment systems already in place in homes and/or businesses. The contractor shall assess each system already in place and follow the procedures outlined in Sections 2.4.1 through Sections 2.4.6 above for operation and maintenance of these systems.

2.4.8: General Activities

The contractor and/or an approved subcontractor may be requested to perform or subcontract other general activities necessary for providing safe water to properties with contaminated water sources, i.e., drilling new water wells; installing lateral supply lines to municipal water supply sources. Any such additional work activities shall be assigned in writing by the State.

2.5 COST PROPOSAL

Pricing should be provided on a per task basis. The pricing for each of the following task should be broken down into per unit cost including precise details of costs associated with the action(s) required for the task:

1. Provision of bottled water and dispensers
2. Installation of Water Filter/Treatment Systems
 - a. Granular activated carbon filter system
 - b. Reverse osmosis units
 - c. Air stripper
3. System maintenance and change of filter media
4. Storage of spent media
5. Disposal of spent media
6. Removal of water filter/treatment system
7. Operation and Maintenance of Systems Already In Place
8. General activities associated with providing safe water

2.6 INDIANA ECONOMIC IMPACT

All companies desiring to do business with state agencies must complete an “Indiana Economic Impact” form (Attachment C). The collection and recognition of the information collected with the Indiana Economic Impact form places a strong emphasis on the economic impact a project will have on Indiana and its residents regardless of where a business is located. The collection of this information does not restrict any company or firm from doing business with the state.

2.7 BUY INDIANA INITIATIVE/INDIANA COMPANY

It is the Respondent’s responsibility to confirm its Buy Indiana status for this portion of the process. If a Respondent has previously registered its business with IDOA, go to <http://www.in.gov/idoa/2464.htm> and click on the link to update this registration. Click the tab titled Buy Indiana. Select the appropriate category for your business. Respondents may only select one category. Certify this selection by clicking the check box next to the certification paragraph. Once this is complete, save your selection and exit your account.

Respondents that have not previously registered with IDOA must go to <http://www.in.gov/idoa/2464.htm> and click on the link to register. During the registration process, follow the steps outlined in the paragraph above to certify your business’ status. The registration process should be complete at the time of proposal submission.

Defining an Indiana Business:

“Indiana business” refers to any of the following:

- (1) A business whose principal place of business is located in Indiana.
- (2) A business that pays a majority of its payroll (in dollar volume) to residents of Indiana.
- (3) A business that employs Indiana residents as a majority of its employees.

Respondents claiming this status must indicate which of the provisions above qualifies them as an Indiana business. They must also fully complete the Indiana Economic Impact Form (Attachment C) and include it with their response.

The following is the policy concerning items 4 & 5 described below. Appropriate documentation must be provided with your proposal response supporting either claim made below:

- (4) A business that makes significant capital investments in Indiana.
- (5) A business that has a substantial positive economic impact on Indiana.

Substantial Capital Investment:

Any company that can demonstrate a minimum capital investment of \$5 million or more in plant and/or equipment or annual lease payments of \$2.5 million or more shall qualify as an Indiana business under category #4. If an out of state company does not meet one of these criteria, it can submit documentation/justification to the State for review for inclusion under this category.

Substantial Indiana Economic Impact:

Any company that is in the top 500 companies (adjusted) for one of the following categories: number of employees (DWD), unemployment taxes (DWD), payroll withholding taxes (DOR), or Corporate Income Taxes (DOR); it shall qualify as an Indiana business under category #5. If a Respondent needs assistance in determining if its business qualifies under this criterion, please send an email inquiry to buyindianainvest@idoa.in.gov and you will receive a response within forty-eight (48) hours. If an out of state company does not meet one of these criteria, it can submit documentation/justification to the State for review for inclusion under this category.

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SECTION THREE PROPOSAL EVALUATION

3.1 PROPOSAL EVALUATION PROCEDURE

The State has selected a group of personnel to act as a proposal evaluation team. Subgroups of this team, consisting of one or more team members, will be responsible for evaluating proposals with regard to compliance with RFP requirements. All evaluation personnel will use the evaluation criteria stated in Section 3.2. The Commissioner of IDOA or his designee will, in the exercise of his sole discretion, determine which proposals offer the best means of servicing the interests of the State. The exercise of this discretion will be final.

The procedure for evaluating the proposals against the evaluation criteria will be as follows:

- 3.1.1 Each proposal will be evaluated for adherence to requirements on a pass/fail basis. Proposals that are incomplete or otherwise do not conform to proposal submission requirements may be eliminated from consideration.
- 3.1.2 Each proposal will be evaluated on the basis of the categories included in Section 3.2. A point score has been established for each category.
- 3.1.3 If technical proposals are close to equal, greater weight may be given to price.
- 3.1.4 Based on the results of this evaluation, the qualifying proposal determined to be the most advantageous to the State, taking into account all of the evaluation factors, may be selected by IDOA and IDEM for further action, such as contract negotiations. If, however, IDOA and IDEM decide that no proposal is sufficiently advantageous to the State, the State may take whatever further action is deemed necessary to fulfill its needs. If, for any reason, a proposal is selected and it is not possible to consummate a contract with the Respondent, IDOA may begin contract preparation with the next qualified Respondent or determine that no such alternate proposal exists.

3.2 EVALUATION CRITERIA

Proposals will be evaluated based upon the proven ability of the Respondent to satisfy the requirements of the RFP in a cost-effective manner. Each of the evaluation criteria categories is described below with a brief explanation of the basis for evaluation in that category. The points associated with each category are indicated following the category name (total maximum points = 100). If any one or more of the listed criteria on which the responses to this RFP will be evaluated are found to be inconsistent or incompatible

with applicable federal laws, regulations or policies, the specific criterion or criteria will be disregarded and the responses will be evaluated and scored without taking into account such criterion or criteria.

Summary of Evaluation Criteria:

Criteria	Points
1. Adherence to Mandatory Requirements	Pass/Fail
2. Management Assessment/Quality (Business and Technical Proposal)	30
3. Cost (Cost Proposal)	25
4. Indiana Economic Impact	15
5. Buy Indiana	10
6. Minority (10) and Women Business (10) Subcontractor Commitment	20
Total	100

All proposals will be evaluated using the following approach.

Step 1

In this step proposals will be evaluated only against Criteria 1 to ensure that they adhere to Mandatory Requirements. Any proposals not meeting the Mandatory Requirements will be disqualified.

Step 2

The proposals that meet the Mandatory Requirements will then be scored based on Criteria 2 and 3 ONLY. This scoring will have a maximum possible score of 55 points. All proposals will be ranked on the basis of their combined scores for Criteria 2 and 3 ONLY. This ranking will be used to create a “short list”. Any proposal not making the “short list” will not be considered for any further evaluation.

Step 2 may include one or more rounds of proposal discussions focused on cost and other proposal elements.

Step 3

The short-listed proposals will then be evaluated based on all the entire evaluation criteria outlined in the table above.

If the State conducts additional rounds of discussions and a BAFO round which lead to changes in either the technical or cost proposal for the short listed Respondents, their scores will be recomputed.

The section below describes the different evaluation criteria.

- 3.2.1 Adherence to Requirements – Pass/Fail
- 3.2.2 Management Assessment/Quality - 30 points
- 3.2.3 Price – 25 points
- 3.2.4 Indiana Economic Impact -15 points

See Section 2.6 for additional information.

The total number of full time equivalent (FTE – please see Section 1.2 for a definition of FTE's) Indiana resident employees for the Respondent's proposal (prime contractor and subcontractors) will be used to evaluate the Respondent's Indiana Economic Impact. Points will be awarded based on a graduated scale. The Respondent with the most Indiana FTEs will be awarded 15 points. Points will then be awarded to the remaining Respondents proportionately.

- 3.2.5 Buy Indiana Initiative – 10 points

Respondents qualifying as an Indiana Company as defined in Section 2.7 will receive 10 points in this category.

- 3.2.6 Minority (10 points) & Women's Business (10 points) Subcontractor Commitment - 20 points

The following formula will be used to determine points to be awarded:

The commitment factor for each proposal will be calculated by multiplying the commitment percentage by one hundred. The RFP score ratio will be determined by dividing the maximum allowable points by the highest commitment factor. The proposal with the highest commitment factor will be given the maximum allowable points. The points awarded to the other proposals will be calculated by multiplying the score ratio by the proposed commitment factor.

Commitment percentage * 100 = commitment factor
Maximum allowable points/highest commitment factor = score ratio
Commitment factor * score ratio = points awarded

The Commissioner of IDOA or his designee will, in the exercise of his sole discretion, determine which proposal(s) offer the best means of servicing the interests of the State. The exercise of this discretion will be final.